

HONORABLE BENJAMIN H. SETTLE

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

HP TUNERS, LLC, a Nevada limited liability
company,) CASE NO. 3:17-cv-05760-BHS
)
Plaintiff,) **PLAINTIFF’S MOTION TO SEAL**
)
vs.)
)
KEVIN SYKES-BONNETT and SYKED)
ECU TUNING INCORPORATED,))
Washington corporation, and JOHN)
MARTINSON,)

Defendants.

Pursuant to LCR 5(g) and Section 4.4 of the applicable Protective Order, dated May 21, 2018 (see Dkt. 39) (the “Protective Order”), Plaintiff HP Tuners, LLC (“Plaintiff”), by and through its counsel, respectfully request that the Court seal Exhibits 1 through 18 of the Declaration of Andrew P. Bleiman, Esq. (“Bleiman Decl.”) filed in connection with Plaintiff’s Response in Opposition to Defendants’ Motion for Partial Summary Judgment (Dkt. 182) and Plaintiff’s Response in Opposition to Defendant John Martinson’s Motion for Summary Judgment (Dkt. 183).

Under Section 2.1 of the Protective Order, Bleiman Decl. Exhibits 1 through 18 have been designated in discovery as Confidential and/or Highly Confidential. Plaintiff is entitled to

1 file these documents under seal pursuant to LCR 5(g)(2)(A) because this Court issued a prior
 2 order, the Protective Order, authorizing the parties to file confidential documents under seal.
 3 Dkt. 39. The private interests of Defendants in protecting their business and trade secrets
 4 outweigh any interest that the public may have in knowing the contents of these exhibits. See
 5 LCR 5(g)(3)(B). Additionally, there is no less restrictive alternative for protecting the contents
 6 of these exhibits because the confidential information contained within them is the subject of
 7 Plaintiff's Response in Opposition to Defendants' Motion for Partial Summary Judgment and
 8 Plaintiff's Response (Dkt. 188) in Opposition to Defendant John Martinson's Motion for
 9 Summary Judgment (Dkt. 190).

11 In accordance with LCR 5(g)(1)(A) and 5(g)(3)(A), counsel for the parties previously
 12 met and conferred in connection with this Motion to Seal on September 3, 2019. Defendants do
 13 not oppose the motion but reserve the right to challenge the designations of confidentiality at a
 14 later date.

15 Dated this 3rd day of September, 2019.

Respectfully submitted,

17 s/ Andrew P. Bleiman
 Attorneys for HP Tuners, LLC

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CERTIFICATE OF SERVICE

I hereby certify that on September 3, 2019, I caused the foregoing to be electronically with the Clerk of Court using the **CM/ECF system** which will electronically send Notice to all Counsel of Record.

MARKS & KLEIN

s/ Andrew P. Bleiman
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